

Mr Gage moved that the Senate adjourn until half-past three o'clock, P. M.; lost.

On motion of Mr. Paschal, the Senate adjourned until to-morrow morning at 9 o'clock.

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THURSDAY, December 15, 1853.

The Senate was called to order pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. McDade presented the petition of Jesse B. Atkinson, asking for land; referred to the committee on Private Land Claims.

Mr. Bryan presented the petition of J. J. Lion, for relief; referred to the committee on Public Debt.

Mr. Hart, chairman of the committee on Private Land Claims, to whom was referred the petition of Earl Pierce and others, reported back to the Senate the following bill:

A bill for the relief of Earl Pierce and others; read first time.

Mr. McDade, chairman of the committee on Counties and County Boundaries, to whom was referred a bill creating the county of Lafayette, reported the same back to the Senate, and recommended its passage with the following amendments:

Strike out "Lafayette," wherever it occurs in the bill, and insert "Sherman;" also, strike out "Fayetteville," wherever it occurs, and insert "\_\_\_\_\_."

Mr. Paschal, chairman of the committee on Internal Improvements, made the following report:

The committee on Internal Improvements, to whom was referred a bill to incorporate the Jefferson Railroad Company, have considered the same, and I am instructed to report said bill back, and to recommend its passage with the following amendments, to wit:

Strike out section 16 to the proviso, the same being contained in the general law regulating railroad companies. Let the proviso to section 16 be added to section 15. Number sections 17, 18, 19 and 20, respectively 16, 17, 18 and 19. Also, amend section 19, by striking out "five," in second line, and insert "three;" and strike out "ten," in third line, and insert "five."

Your committee have also considered a bill supplementary to an act to amend an act to incorporate the Buffalo Bayou, Brazos and Colorado Railroad Company, approved January 29, A. D. 1853, and I am instructed to report said bill back, and recommend its passage without amendment.

Mr. Paschal, chairman of the select committee, to whom was referred a bill extending the time for the return of field-notes of claimants to land in Fisher & Miller's Colony, and in Castro's Colony, reported the same back, and recommended its passage.

Mr. Paschal, chairman of the select committee, to whom was referred a bill supplementary to an act to secure to the German Emigration Company and their colonists the lands to which they are entitled, and to adjust the liabilities of said company, approved January 21st, 1850, reported the same back to the Senate and recommended its passage.

Mr. Guinn, from the committee on Engrossed Bills, reported the following bills correctly engrossed :

A bill regulating justices' courts in the city of San Antonio ;

A bill to incorporate San Antonio Lodge, No. 11, of the Independent Order of Odd Fellows ; and

A bill to provide for the sale of the furniture of the Old Capitol, and the boxes which contained the new furniture.

Mr. Edwards introduced a bill making appropriations for the improvement of the rivers of the State ; read first time.

Mr. Millican introduced a bill for the relief of William Dunlap ; read first time.

Mr. Scott introduced a bill for the transfer of certain moneys therein named ; read first time.

### ORDERS OF THE DAY.

The following bills were severally read a third time and passed :

House bill to incorporate the Mound Prairie Institute ; passed by a constitutional majority ;

A bill to provide for the sale of the furniture of the Old Capitol, and the boxes which contained the new furniture ;

House bill authorizing the Commissioner of the General Land-office to appoint additional draftsmen and assistant clerks to his department, and to fix the salaries of the Commissioner and all under his control ; and

A bill regulating justices' courts in the city of San Antonio.

The following bills severally read a third time and passed by constitutional majorities :

A bill to incorporate San Antonio Lodge, No. 11, of the Independent Order of Odd Fellows ; and

House bill to incorporate Anson Lodge, No. 29, I. O. O. F.

On motion of Mr. Hill, a bill for the relief of John Fisher and Reuben Fisher was taken from the table, and placed among the orders of the day.

A bill for the relief of the heirs of John Tanner; read second time and ordered to be engrossed.

A bill conferring power on county courts to establish quarantine regulations; read second time, and, on motion of Mr. Bryan, referred to the committee on the Judiciary.

A bill to regulate the practice of dental surgery in the State of Texas; read second time, and, on motion of Mr. Holland, referred to the committee on State Affairs.

A bill to incorporate the Rio Grande and Texas Insurance Company; read second time, and, on motion of Mr. Scarborough, referred to the committee on the Judiciary.

A message was received from the House, reporting to the Senate the adoption of a resolution by the House, appointing Messrs. Travis, Bee, McCulloch, Bourland, Charlton, Holland and Lewis a committee to make suitable arrangements for the inauguration of the Governor and Lieutenant-Governor elect.

A bill authorizing titles and patents to be cancelled in certain cases; read second time, and, on motion of Mr. Durst, referred to the committee on the Judiciary.

A bill concerning writs of error, with the report of the Judiciary committee, recommending an amendment thereto; read and amendment adopted.

On motion of Mr. Paschal, the bill was laid on the table.

On motion of Mr. Kyle, a bill to fix and establish the annual salaries of the officers of this State, was taken from the table and placed among the orders of the day.

House bill for the relief of America Elkins; read third time and passed.

A bill to incorporate Jackson Division, No. 9, Sons of Temperance; read and passed to a third reading.

Report of the committee on State Affairs, to whom was referred the report of the Secretary of State, recommending the reference of the same to the committee on Finance; read and adopted.

A bill to legalize the acts of W. B. M. Nicholson, as District Clerk of Hill County; read second time and ordered to be engrossed.

Report of the committee on Claims and Accounts, on the petition of John S. Hodges, asking pay for a horse, &c., recommending that the relief sought should not be granted; adopted.

A bill to encourage the construction of railroads, by a loan of the school fund, being the substitute offered by the committee on Internal Improvements for a bill to provide for the investment of

\$300,000 of the public funds and encourage Internal Improvements; read.

On motion of Mr. Kyle, 200 copies of said substitute were ordered to be printed, and it made the special order of the day for Monday the 19th inst.

A bill for the relief of persons therein named; read, and, on motion of Mr. Jowers, laid on the table.

A bill to encourage the construction of railroads in Texas by donations of land; read.

The amendment offered by Mr. Guinn, proposing to strike out "800 sections," and insert "400 sections," was rejected.

Mr. Paschal offered the following amendment, to come in at the end of second section:

*Provided*, That no application for a survey of land under the provisions of this act shall be made for more than six months before the completion of such section; and if said section be not completed, and notice thereof given as herein provided, within six months from the time of the application, then such land applied for shall become subject to location and entry as if no such application had been made; adopted.

Mr. Potter offered the following amendment:

Add to last section: *Provided*, That no person or company shall receive any donation or benefit under the provisions of this act, unless they shall construct and complete at least twenty-five miles of the road contemplated by their charter, within two years after the passage of this act; and such donations shall be discontinued in every case where the company or companies shall not construct and complete at least twenty-five miles of the road contemplated by their charter each year after the construction of said first-mentioned twenty-five miles of road.

Mr. Paschal offered the following amendment to Mr. Potter's amendment:

*And further provided*, That the proviso herein contained shall not extend to any railroad the terminus of which is not fixed on the Gulf coast, the bays thereof, or on Buffalo Bayou; adopted.

Mr. Bryan offered the following amendment to Mr. Potter's amendment as amended:

And that nothing in this section shall be so construed as to extend the donation of any existing charters.

Adopted, and the amendment as amended was then adopted.

Mr. Taylor offered the following amendment to second section:

In second line, after the word "road," add "or its entire road

where the length may not be so much as twenty-five miles ;” adopted.

Mr. Pedigo offered the following amendment to 4th section :

After the word “act,” in 4th line, insert the following words :  
“And shall actually construct the said section of twenty-five miles of said road within the time mentioned in said contract ;” adopted.

Mr. Bryan offered the following amendment, to come in at the end of section 12:

*And further provided,* That the certificates for land issued under the provisions of this act shall not be located upon any land surveyed or titled previous to the passage of this act ; adopted.

Mr. Potter offered the following amendment :

*And further provided,* That this act shall continue in force for the term of six years from the time it shall take effect, and no longer.

Mr. Pedigo moved to amend the amendment by striking out “six” and inserting “nine” before years ; lost.

Mr. Keenan offered the following as a substitute to Mr. Potter’s amendment :

That the Legislature shall at any time have the power to alter, change or repeal the provisions of this act ; rejected.

The amendment was then adopted by the following vote :

YEAS—Messrs. Allen, Bryan, Doane, Durst, Hill, Kyle, McAnelly, McDade, Millican, Newman, Potter, Scarborough, Sublett, Taylor and Wren—15.

NAYS—Messrs. Burks, Edwards, Gage, Guinn, Jowers, Keenan, Lott, Martin, Paschal, Scott, Superviele, Weatherford and Whitaker—13.

On motion of Mr. Whitaker, the Senate adjourned until to-morrow morning at 9 o’clock.

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FRIDAY, December 16, 1853.

The Senate met pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

The Journal of yesterday was read and adopted.

Mr. Sublett presented the petition of John J. Grumbles, asking the privilege of erecting a steam mill on the reserved land adjacent to the city of Austin, on the river Colorado ; referred to the committee on the Judiciary.

Mr. Whitaker presented the petition of the heirs of Reuben